

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

Kimkhmal, Virak P.

Debtor,

CHAPTER 7
CASE NO. 14-bk-41381

MOTION TO AMEND

Now comes Virak P. Kimkhmal, Debtor in the above-entitled case, by and through counsel undersigned, who hereby respectfully requests this Honorable Court grant her motion to amend Schedules A, B, C, D, F, I & J, Summary of Schedules, Statement of Financial Affairs, and the Chapter 7 Statement of Current Monthly Income (Form B22A1) to reflect updated and accurate information as compared to the information as stated on the original schedules.

The Debtor's Schedule A was originally filed showing that the Debtor owned real property at 616-618 Stevens Street, Lowell, Massachusetts. At the time the Debtor originally filed said Schedule A, she was challenging the foreclosure of the property in Massachusetts Superior Court. However, since that time, the Debtor's MA Superior Court case has been dismissed, and she has lost possession of the property through a summary process action. In order to reflect these events accurately on the Debtor's Schedules, Schedule A must be Amended to remove the real property, Schedule D must be Amended to remove the creditor who had held the mortgage, and Schedule F must be Amended to add the creditor that had held the mortgage, the Summary of Schedules must be Amended to reflect the aforementioned changes, and the Statement of Financial Affairs and Schedule B must be Amended to reflect the status of the Superior Court Action.

Additionally, Schedules I & J must be Amended to reflect more accurate income figures. Originally, at the time the original Schedules were filed, the Debtor had not done a thorough accounting of her business income (Debtor is self employed). The Debtor has been able to more accurately determine her income by an accounting of all the payments made directly to her from her business checking account. This more accurate and updated information requires the amendment of Schedules I & J, Statement of Financial Affairs and the filing of a Chapter 7 Statement of Current Monthly Income form (B22A1).

Schedule C requires amendment to reflect the State Exemptions Debtor has chosen to use to exempt certain property from the bankruptcy estate.

Michael A. Hoffman